

An
Coimisiún
Pleanála

Commission Order
ACP-323768-25

Planning and Development Act 2000, as amended

Planning Authority: Dublin City Council

Planning Register Reference Number: WEB2633/25

Appeal by Frances Kavanagh against the decision made on the 3rd day of September 2025, by Dublin City Council to grant, subject to conditions, a permission to Klairon Construction Limited in accordance with plans and particulars lodged with the said Council.

Proposed Development: Change of use at first floor level from office/medical use to residential use, to form a two bedroom apartment (138 square metres) accessed from existing entrance on Marlborough Road with alterations to existing rear first floor windows consisting of the removal of wall from cill to ground level and the formation of fully glazed doors providing access to a new 43 square metres first floor terrace formed by enclosing open flat roof with 1.8 metre high opacified glazed screens; and all ancillary site works at 69–71 Morehampton Road, Donnybrook, Dublin.

Decision

GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

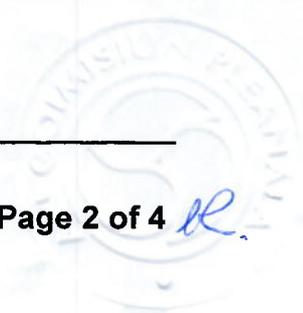
Reasons and Considerations

Having regard to the Z4 zoning objective (Key Urban Villages/Urban Villages), to provide for and improve mixed-services facilities, the pattern of development in the area and the other provisions of the Dublin City Development Plan 2022–2028, including Section 15.13.6 Living over the Shop, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the character of the area or the residential amenities of property in the vicinity and would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.



2. The permitted development relates to the first floor only.

Reason: In the interest of clarity.

3. The terrace shall be landscaped in accordance with a comprehensive scheme of landscaping with a landscape border of no less than 0.5 metres around the perimeter of the terraced area, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interests of residential and visual amenity, biodiversity and having regard to the terrace located over a commercial unit.

4. The four windows serving the proposed utility and bathroom on the southwest elevation shall be manufactured in opaque or frosted glass and shall be permanently maintained. The application of film to the surface of clear glass is not acceptable.

Reason: In the interest of residential amenity.

5. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and surface water management.

6. Site development and building works shall be carried out only between the hours of 0700 and 1900 from Mondays to Fridays, inclusive, between 0800 and 1400 hours on Saturdays and not at all on Sundays or public holidays. Deviation from these times shall only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

Reason: In order to safeguard the residential amenities of property in the vicinity.

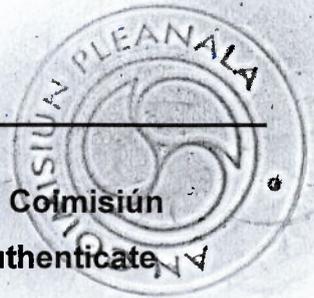
7. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer, or, in default of such agreement, the matter shall be referred to the An Coimisiún Pleanála to determine the proper application of the terms of the Scheme.

Reason: It is a requirement of the Planning and Development Act 2000, as amended that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission.



Mick Long

**Planning Commissioner of An Coimisiún
Pleanála duly authorised to authenticate
the seal of the Commission.**



Dated this 9th day of February 2026.